



United States Courts for the Ninth Circuit

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NEWS RELEASE

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Ninth Circuit Mourns Passing of Senior Circuit Judge Herbert Choy

SAN FRANCISCO — Senior Circuit Judge Herbert Young Cho Choy, the nation's first federal judge of Asian descent and the first judge to represent Hawai'i on the U.S. Ninth Circuit Court of Appeals, died Wednesday (March 10) after a brief illness. He was 88.

Judge Choy, whose health had been in decline for some time, was hospitalized on March 5 after coming down with bronchitis. He died in his sleep with his wife of 59 years, Helen, at his bedside.

"Judge Choy will be remembered by all who knew him as a man with enormous integrity who richly deserved the high positions he received but did not always seek," said Ninth Circuit Chief Judge Mary M. Schroeder. "His wife, Helen, remains an honored member of our court family."

Nominated to the Court of Appeals by President Nixon, Judge Choy was confirmed by the Senate in 1971, becoming the first judge from Hawai'i to serve on the largest and busiest of the nation's appellate courts. He served as an active judge until 1984, when he took senior status. He continued to hear cases for some time before turning his focus to legal research and writing.

Born on Kauai to Korean immigrants who had come to work on the island's sugar plantations, Judge Choy earned his undergraduate degree from the University of Hawai'i in 1938, and his J.D. from Harvard University Law School in 1941. He served with the Army Judge Advocate General during World War II. Upon leaving the service, he went into private practice in 1946, becoming the nation's first Korean-American attorney.

Judge Choy , who maintained chambers in Honolulu, was an esteemed member of Hawai'i's Korean community, lauded for his accomplishments in perpetuating Korean culture.

Judge Choy was honored last December when his portrait, commissioned by his former law clerks, was donated to the Court of Appeals. One of those former law clerks is Ninth Circuit Judge Richard R. Clifton, who followed in Judge Choy's footsteps to become only the second judge from Hawai'i to serve on the Court of Appeals. Judge Clifton clerked for Judge Choy from 1975 to 1976.

"He taught me to render judgments without being judgmental...to disagree without being disagreeable," Judge Clifton remarked when the portrait was unveiled. "He understood that the law is there for the entire community and that it should be administered fairly."

Funeral arrangements for Judge Choy are pending.

The U.S. Ninth Circuit Court of Appeals hears cases originating in nine western states and two Pacific Island jurisdictions. The court sits regularly in Seattle, San Francisco and Pasadena, and in Portland several times a year. Special sittings also are held in various locations around the circuit.

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